

## EXHIBIT 1

May 15, 2024

David C. Weiss  
Special Counsel  
United State Department of Justice

RE: CR 2:24-cr-00091-ODW  
United States of America v. Alexander Smirnov

Dear Mr. Weiss:

I read with great concern the above referenced document regarding my patient, Alexander Smirnov, who carries a diagnosis of severe open angle glaucoma in both eyes. I have documented in previous correspondence that continued ophthalmologic care is absolutely essential to maintain Mr. Smirnov's eyesight. Glaucoma is a progressive and incurable disease that requires daily eyedrop medications to prevent irreversible and permanent blindness. You attest that Santa Ana City Jail officials confiscated my patient's eye drops and have not provided him with any new eye drops because "the eye drops are for pre-operative care." This statement is completely erroneous and untrue. Glaucoma patients are required to take daily eye drop medications to control their intraocular pressure around the clock. These drops are not simply taken before an operation. They are required every day to prevent irreversible blindness. It is obvious that the medical staff at Santa Ana City Jail are not qualified to make any judgements whatsoever regarding the medical necessity of Mr. Smirnov's glaucoma medications. Withholding Mr. Smirnov's eye drops is tantamount to allowing Mr. Smirnov to go blind which falls below the standard of care of any accredited medical facility. These eye drops are not "Pain-Reducing" medications meant to provide comfort. They are necessary to prevent blindness from glaucoma. Mr. Smirnov's current complaints of pain and blurry vision indicate his intraocular pressure is markedly elevated and his glaucoma is being grossly undertreated. This would be blatantly obvious with a proper examination of Mr. Smirnov's eyes and a measurement of his intraocular pressure which is evidently beyond the capabilities of the jail. Mr. Smirnov will lose a vital bodily function (vision) as a direct result of the negligence committed by the jail officials. In addition, Mr. Smirnov has requested a medical furlough which would allow him the opportunity to have prompt and appropriate surgical therapy for his glaucoma by a qualified and experienced fellowship-trained glaucoma specialist such as myself. By denying this request the United States government is complicit in the loss of his vision.

I urge the Court to grant Mr. Smirnov's motion for 1) Immediate restoration of his glaucoma therapy and 2) Medical furlough to receive prompt and appropriate glaucoma surgery

Respectfully submitted,



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Co-Director, Glaucoma Service  
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